

REMARKS/ARGUMENTS

Claims 1-25 are pending in the present application.

Applicants' attorneys, Mark Garscia and Saeid Mirsafian, conducted a telephone interview with Examiners Reimers and Robert on January 29, 2007. Applicants' attorneys discussed the claims of the present application in view of Glascott (U.S. Patent Publication 2002/0151900). Applicants' attorneys and the Examiners agreed to the filing of this paper for consideration by Examiner Reimers prior to a first Office action being issued in the present application.

Claims 1-3, 5-16, 18, 19 and 21-25 have been rejected under 35 U.S.C. 102(b) over Glascott (U.S. Publication 2002/0151900). Claims 1 and 13 have been amended to recite "an abutment directly contacting the closure element to limit a tilting of the closure element about the rod at the time of final tightening of the closure element in the holding element." In contrast, Glascott does not disclose or suggest an abutment directly contacting the closure element as recited in claims 1 and 13.

Referring to FIGS. 1 and 2 of Glascott, an inner nut 31 is fastened to the legs of the receiver 22. However, Glascott does not disclose or suggest any abutment directly contacting the inner nut 31 to limit a tilting of the inner nut 31 about the rod at the time of final tightening of the closure element in the holding element. The inner nut 31 of Glascott only contacts the rod 34 to secure the rod 34 in the receiver 22.

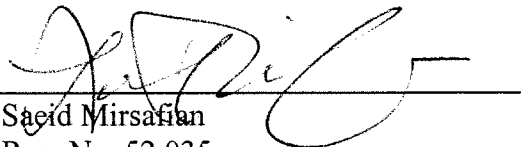
Therefore, Applicants believe that claims 1-3, 5-16, 18, 19 and 21-25 are patentable over Glascott.

Claim 4 and 20 have been rejected under 35 U.S.C. 103 over Glascott. As discussed above, because Glascott does not disclose or even suggest an abutment directly contacting the closure element to limit a tilting of the closure element about the rod at the time of final tightening of the closure element in the holding element, claims 4 and 20 are also patentable over Glascott.

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Applicants believe that claims 1-25 are now in condition for allowance.

Respectfully submitted,
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